

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA

Rudy Stanko,

Petitioner,

v.

Civil No. 07-4387 (JNE/JJG)
ORDER

Dwight L. Fondren, Local Director;
Michael K. Nalley, Regional Director; and
Harley Lappin, Central Director,

Respondents.

This case is before the Court on a Report and Recommendation issued by the Honorable Jeanne J. Graham, United States Magistrate Judge, on July 29, 2008. The magistrate judge recommended that Rudy Stanko's motion for an Article III judge be denied and that this case be dismissed without prejudice. Stanko objected to the Report and Recommendation. The Court has conducted a de novo review of the record. *See* D. Minn. LR 72.2(b). Based on that review, the Court adopts the Report and Recommendation. Therefore, IT IS ORDERED THAT:

1. Stanko's motion for an Article III judge [Docket No. 4] is DENIED.
2. This case is DISMISSED WITHOUT PREJUDICE.

LET JUDGMENT BE ENTERED ACCORDINGLY.

Dated: September 3, 2008

s/ Joan N. Ericksen
JOAN N. ERICKSEN
United States District Judge